

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-142

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005Codification
District of
Columbia
Official Code

2001 Edition

2005 Fall
Supp.West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the Business Improvement District Act of 1996 to approve the establishment of the Adams Morgan business improvement district.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may cited as the "Adams Morgan Business Improvement District Congressional Review Emergency Amendment Act of 2005".

Sec. 2. The Business Improvement District Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 5(b) (D.C. Official Code § 2-1215.04(b)) is amended by striking the phrase "or Mount Vernon Triangle" and inserting the phrase "Mount Vernon Triangle, or Adams Morgan" in its place.

Note,
§ 2-1215.04

(b) A new section 206 is added to read as follows:

"Sec. 206. Adams Morgan BID.

"(a) Subject to review and approval by the Mayor under the provisions of sections 5 and 6, the formation of the Adams Morgan BID, including nonexempt real property within the geographic areas set forth in subsection (b) of this section, is hereby authorized and the BID taxes established in subsection (c) of this section are hereby imposed through the expiration date of this act or the termination or dissolution of the BID.

"(b) The Adams Morgan BID shall be comprised of the geographic area along 17th Street, N.W., between Columbia Road, N.W., and Fuller Street, N.W.; along 18th Street, N.W., between Columbia Road, N.W., and Florida Avenue, N.W.; along Adams Mill Road, N.W., between Columbia Road, N.W., and Lanier Place, N.W.; along Belmont Road, N.W., between 18th Street, N.W., and Columbia Road, N.W.; along Biltmore Street, N.W., between Columbia Road, N.W., and Cliffbourne Place, N.W.; along California Street, N.W., between 18th Street, N.W., and Florida Avenue, N.W.; along Champlain Street, N.W., between Columbia Road, N.W., and Kalorama Road, N.W.; along Columbia Road, N.W., between 16th Street, N.W., and Wyoming Avenue, N.W.; along the north side of Florida Avenue, N.W., between 19th Street N.W., and California Street, N.W.; along Kalorama Road, N.W., between 18th Street, N.W., and Champlain Street,

DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

N.W.; along Lanier Place, N.W., between Ontario Road, N.W., and Adams Mill Road, N.W.; along Ontario Road, N.W., between Columbia Road, N.W., and Lanier Place, N.W.; along the north side of U Street, N.W., between 18th Street, N.W., and Florida Avenue, N.W.; along Vernon Street, N.W., between 18th Street, N.W., and 19th Street, N.W.; along Wyoming Avenue, N.W., between 19th Street, N.W., and Columbia Road, N.W.

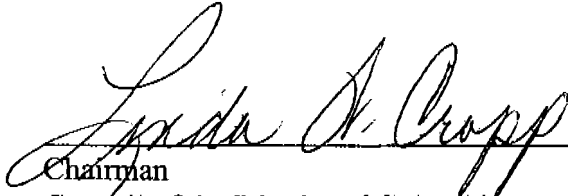
“(c) The BID taxes for the nonexempt real properties in the Adams Morgan BID shall be \$.21 for each \$100 in assessed value for all nonexempt properties and all commercial portions of mixed use properties.”.

Sec. 3. Fiscal impact statement.

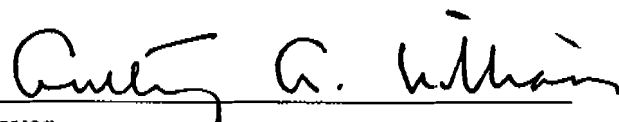
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, beginning August 16, 2005, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 26, 2005

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-143

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005

To authorize and provide, on an emergency basis, for the issuance, sale, and delivery of District of Columbia qualified zone academy revenue bonds in one or more series pursuant to a plan of finance for the benefit of the District of Columbia public schools and public charter schools and to secure the payment of the principal on the revenue bonds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as "Qualified Zone Academy Revenue Bond Project Forward Commitment Approval Emergency Act of 2005".

Sec. 2. Definitions.

For the purpose of this act, the term:

(1) "Authorized Delegate" means the Mayor, the Chief Financial Officer, or the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated, or to whom the foregoing individuals have subdelegated, any of the Mayor's functions under this act pursuant to section 422(6) of the Home Rule Act.

(2) "Available Real Property Tax Revenues" means the revenues resulting from the imposition of the tax under Chapter 8 of Title 47 of the District of Columbia Official Code, including any penalties and interest charges thereon, exclusive of revenues that are or will be pledged pursuant to sections 481 and 490 of the Home Rule Act, and payments in lieu of such taxes.

(3) "Bond Counsel" means a firm or firms of attorneys designated as District bond counsel from time to time by the Mayor.

(4) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this act.

(5) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

(6) "Closing Documents" means all documents and agreements other than

Financing Documents that may be necessary and appropriate to issue, sell, and deliver the bonds, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "Eligible project" means the projects in the area of elementary, secondary, or college and university facilities undertaken at a Qualifying School which are subject to financing pursuant to section 490 of the Home Rule Act as a qualified zone academy bond within the meaning of section 1397E(d)(1) of the Internal Revenue Code of 1986, approved August 5, 1997 (111 Stat. 821; 26 U.S.C. § 1397E(d)(1)).

(8) "Financing Documents" means the documents other than Closing Documents that relate to the financing, refinancing or reimbursement of the costs of eligible projects to be effected through the issuance, sale, and delivery of the bonds, including any offering document, and any required supplements to any such documents.

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(10) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the bonds, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the bonds, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees, compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(11) "QZAB Collection Agent" means any bank, trust company, or national banking association with requisite trust powers and with an office in the District designated to serve in this capacity by the Mayor.

(12) "QZAB Collection Agreement" means the collection agreement between the District and the QZAB Collection Agent authorized in section 6.

(13) "QZAB Pledged Account" means one or more accounts created and maintained by the QZAB Collection Agent for the benefit of the owners of a series of the bonds and funded by the deposit of some portion of Available Real Property Tax Revenues and other funds in amounts as determined by the Mayor in the QZAB Collection Agreement.

(14) "Qualifying School" means any public school or public charter school the Council approves, by resolution, for financing, refinancing or reimbursement of the costs of its eligible project pursuant to the provisions of section 490 of the Home Rule Act and this act.

ENROLLED ORIGINAL

Sec. 3. Bond authorization.

(a) Pursuant to section 490 of the Home Rule Act, the Council authorizes the issuance of bonds.

(b) One or more series of bonds in multiple separate series may be issued for the purpose of assisting in financing, refinancing, and reimbursing the costs of eligible projects. Refunding bonds may be issued to refund bonds. The aggregate principal amount of bonds, other than refunding bonds, shall not exceed the amount authorized under section 1397E of Internal Revenue Code of 1986, approved August 5, 1997 (111 Stat. 821; 26 U.S.C. § 1397E).

(c) The Mayor is authorized to take any action necessary or appropriate in accordance with this act in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the bonds pursuant to section 490 of the Home Rule Act, including:

- (1) Approving the issuance, sale, and delivery of the bonds;
- (2) Making loans, grants or allocating funds, purchasing any mortgage, note, or other security, or purchasing, leasing, or selling of any property for the purpose of financing, refinancing, or reimbursing the costs of an eligible project;
- (3) Entering into any agreement concerning the acquisition, use, or disposition of any available revenues, assets, or property;
- (4) Entering into such Financing Documents as may be necessary or appropriate for the issuance, security, and administration of the bonds, the investment of proceeds and moneys in the accounts provided for in, or pursuant to this act, the application of the proceeds of the bonds and the moneys and investments in such accounts, and for the purposes provided in this act, including Financing Documents with Qualifying Schools;
- (5) Setting forth the requirements for an eligible project to comply with the applicable eligibility requirements pursuant to this act in an agreement between the District and the District of Columbia Board of Education with respect to public schools or each Qualifying School with respect to public charter schools;
- (6) Establishing any fund with respect to the bonds as required by the Financing Documents; and
- (7) Refunding the bonds through the issuance of refunding bonds.

Sec. 4. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this act in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the bonds of each series, including, but not limited to, determinations of:

- (1) The final form, content, designation, and terms of the bonds, including a determination that the bonds may be issued in certificated or book-entry form;
- (2) The principal amount of the bonds to be issued and denominations of the bonds;
- (3) The date or dates of issuance, sale, and delivery of the bonds, and the maturity date or dates of the bonds;

ENROLLED ORIGINAL

(4) The terms under which the bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(5) Provisions for the registration, transfer, and exchange of the bonds and the replacement of mutilated, lost, stolen, or destroyed bonds;

(6) The creation of any reserve fund, sinking fund, or other fund with respect to the bonds;

(7) The time and place of payment of the bonds;

(8) Procedures for monitoring the use of the proceeds received from the sale of the bonds to ensure that the proceeds are properly applied to one or more Qualifying Schools and used to accomplish the purposes of this act;

(9) Actions necessary to qualify the bonds under blue sky laws of any jurisdiction where the bonds are marketed; and

(10) The terms and types of credit enhancement under which the bonds may be secured.

(b) The bonds shall contain a legend, which shall provide that the bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary's manual or facsimile signature. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds.

(e) The bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 5. Sale of the bonds.

(a) The bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interests of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the bonds, offering documents on behalf of the District, may deem final any such offering document on

ENROLLED ORIGINAL

behalf of the District for purposes of compliance with federal laws and regulations governing such matters and may authorize the distribution of the documents in connection with the sale of the bonds.

(c) The Mayor is authorized to deliver the executed and sealed bonds, on behalf of the District, for authentication, and, after the bonds have been authenticated, to deliver the bonds to the original purchasers of the bonds upon payment of the purchase price.

(d) The bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the bonds and the eligibility of the bonds to be qualified zone academy bonds within the meaning of section 1397E(d)(1) of the Internal Revenue Code of 1986, approved August 5, 1997 (111 Stat. 821; 26 U.S.C. § 1397E(d)(1)).

(e) The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), and the Financial Institutions Deposit and Investment Amendment Act of 1998, effective March 18, 1998 (D.C. Law 12-56; D.C. Official Code § 47-351.01 *et seq.*), shall not apply to whatever contract the Mayor may from time to time enter, or the Mayor may determine to be necessary or appropriate, for purposes of this act.

Sec. 6. Payment and security.

(a) The District is hereby authorized to pledge the funds on deposit in the QZAB Pledged Account as security for the payment of principal of, and premium, if any, on the bonds.

(b) The bonds shall be payable solely from the funds on deposit in the QZAB Pledged Account and income realized from the temporary investment thereof, and other moneys as provided in the Financing Documents.

(c) The funds for the payment of the bonds shall be deposited with the QZAB Collection Agent pursuant to the QZAB Collection Agreement and used only in accordance with the terms of the agreement.

(d) The Mayor may, without regard to any act or resolution of the Council now existing, designate a QZAB Collection Agent under the QZAB Collection Agreement. The Mayor may execute and deliver the QZAB Collection Agreement, on behalf of the District and in the Mayor's official capacity, containing the terms that the Mayor considers necessary or appropriate to carry out the purposes of this act.

(e) Payment of the bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the bonds pursuant to the Financing Documents.

(f) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the bonds pursuant to the Financing Documents.

ENROLLED ORIGINAL

Sec. 7. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the bonds. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 8. Determination of eligible projects.

(a) The Mayor is authorized to establish the process and criteria for the determination of which public schools or public charter schools will be presented to the Council for approval as a Qualifying School.

(b) If the Mayor determines to present a public school or public charter school for Council approval as a Qualifying School, the Mayor shall enter into negotiations with the District of Columbia Board of Education with respect to public schools or with the respective public charter school with respect to public charter schools to determine the amount of bond proceeds and Available Real Property Tax Revenues to be allocated and the terms and conditions of the agreement between the District and the District of Columbia Board of Education or the Qualifying School.

(c) The Mayor shall transmit to the Council a proposed resolution approving the issuance of a series of bonds and identifying the Qualifying Schools, the amount of the project or projects eligible to be financed with the bond proceeds, and the amount of Available Real Property Tax Revenues to be allocated to the bonds.

ENROLLED ORIGINAL

Sec. 9. Allocation of Available Real Property Tax Revenues.

Within 60 days after the approval of a resolution specified in section 8(c), the Chief Financial Officer shall provide for the allocation of Available Real Property Tax Revenues for the series of the bonds. The Chief Financial Officer shall transfer collected Available Real Property Tax Revenues to the appropriate QZAB Pledged Account in the amounts and at the times specified in the QZAB Collection Agreement and the Financing Documents. Monies held or to be held in a QZAB Pledged Account may be used to pay Issuance Costs associated with the bonds, to pay the principal of the series of the bonds, and to pay other amounts authorized by this act. The QZAB Pledged Accounts shall be non-lapsing.

Sec. 10. Bond security.

(a) The bonds issued pursuant to this act are declared to be issued for essential public and governmental purposes.

(b) The District does hereby pledge to and covenant and agree with the holders of any bonds that, subject to the provisions of the Financing Documents, the District will not limit or alter the basis upon which Available Real Property Tax Revenues are allocated, applied, and pledged pursuant to this act; will not impair the contractual obligations of the District to fulfill the terms of any agreement made with the holders of the bonds; will not in any way impair the rights or remedies of the holders of the bonds; and will not modify in any way the exemptions from District taxation provided for in this act, until the bonds, together with interest thereon, are fully met and discharged. To the extent that any acts or resolutions of the Council may be in conflict with this act, this act shall be controlling.

(c) It is the intention of the Council that a pledge made in respect of the bonds shall be valid and binding from the time the Available Real Property Tax Revenues or other funds are deposited in the QZAB Pledged Account; that when deposited in the QZAB Pledge Account, the money or property so pledged and deposited shall immediately be subject to the lien of the pledge without physical delivery or further act; and that the lien of the pledge shall be valid and binding as against all parties having any claim of any kind against the District, whether or not the parties have notice of the lien. This act, any resolution adopted pursuant to this act, any trust agreement, or any other instrument by which a pledge is created do not need to be recorded or filed under any provisions of the Uniform Commercial Code to be valid, binding, and effective against the parties.

Sec. 11. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this act.

Sec. 12. Limited liability.

(a) The bonds shall be special obligations of the District. The bonds shall be without recourse to the District. The bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) Nothing contained in the bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the bonds from sources other than those listed for that purpose in section 6.

(c) All covenants, obligations, and agreements of the District contained in this act, the bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this act.

(d) No person, including, but not limited to, any bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District to perform any covenant, undertaking, or obligation under this act, the bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 13. District officials.

(a) Except as otherwise provided in section 12(d), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or be subject to any personal liability by reason of the issuance of the bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this act, the bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the bonds, the Financing Documents, or the Closing Documents.

Sec. 14. Maintenance of documents.

Copies of the specimen bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 15. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 16. Disclaimer.

(a) The issuance of the bonds is in the discretion of the District. Nothing contained in this act, the bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any bonds for the benefit of the Qualifying Schools or to participate in or assist the Qualifying Schools in any way with financing, refinancing, or reimbursing the costs of eligible projects.

(b) The District reserves the right to issue the bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations will be reserved or will be available at the time of the proposed issuance of the bonds.

Sec. 17. Severability.

If any particular provision of this act, or the application thereof to any person or circumstance is held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this act is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuance of the bonds, and the validity of the bonds shall not be adversely affected.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this act, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 20. Effective date.


This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

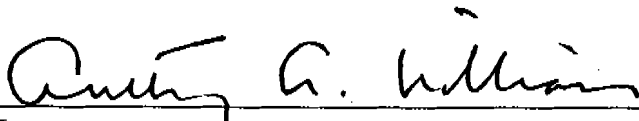
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DISTRICT OF COLUMBIA REGISTER

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 26, 2005

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AN ACT

D.C. ACT 16-144

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005*Codification
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To amend, on an emergency basis, Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain real property located in the District of Columbia used by the Department of the Army.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Walter Reed Property Tax Exemption Reconfirmation Emergency Act of 2005".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1070. Walter Reed military housing."

(b) A new section 47-1070 is added to read as follows:

"§ 47-1070. Walter Reed military housing.

"Certain real property, described as parcels 0319/2, 0319/3, and 0319/4, at the Walter Reed U.S. Army Medical Center, together with the improvements thereon and any future improvements constructed thereon, shall be exempt from all taxation, including ordinary and special taxes and use or possessory interest taxes, on real property or the use thereof, so long as the property is used for the purposes of housing military personnel or their families, as contemplated by 10 U.S.C. §§ 2871 through 2885, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009. The transfer of a leasehold or fee interest in the property, or the improvements thereon, from the United States of America, or any branch of the U.S. military; the recordation of any lease, deed, deed of trust, other security instrument, or financing used for the improvement or construction of military housing; and the transfer from any entity to the United States government, or any branch of the U.S. military, shall be exempt from all transfer and recordation taxes of or imposed by the District of Columbia."

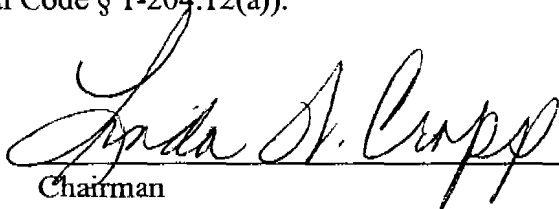
Note,
§ 47-1065

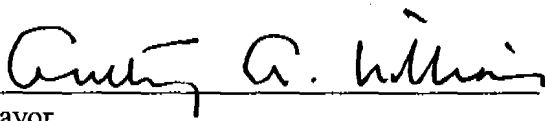
Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 26, 2005

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-145

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005

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To amend, on an emergency basis, due to Congressional review, section 47-825.01 of the District of Columbia Official Code to reform the Board of Real Property Assessments and Appeals.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Board of Real Property Assessments and Appeals Reform Congressional Review Emergency Act of 2005".

Sec. 2. Section 47-825.01 of the District of Columbia Official Code is amended as follows:

Note,
§ 47-825.01

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (B) is amended by striking the number "2" and inserting the number "3" in its place.

(B) Subparagraph (D) is amended by adding a sentence at the end to read as follows:

"For the purposes of this subparagraph, officers means employees of the District of Columbia."

(2) Paragraph (2) is amended as follows:

(A) Subparagraph (A) is amended to read as follows:

"(A) A Board member shall be prohibited from representing any client or business interest before the Board for a period of 2 years after the Board member's termination or resignation from the Board."

(B) Subparagraph (C) is amended by striking the phrase "Corporation Counsel" and inserting the phrase "Office of the Attorney General" in its place.

(3) Paragraph (3) is amended to read as follows:

"(3)(A) The term of each Board member appointed prior to April 1, 2006 shall be 5 years.

"(B) The term of each Board member appointed after March 31, 2006 shall be 3 years."

(4) Paragraph (4)(B) is amended to read as follows:

"(4)(B) Any person appointed to fill a vacancy shall be appointed to serve for the

ENROLLED ORIGINAL

remainder of the term during which the vacancy arose.”.

(b) Subsection (d)(2) is amended by striking the word “serve” and inserting the phrase “serve exclusively” in its place.

(c) A new subsection (m) is added to read as follows:

“(m)(1) By February 1 of each year, all pending real property assessment appeals cases shall be finalized by the Board.

“(2) The Board members shall have 30 days to finalize a residential case and 80 days to finalize a commercial case upon the completion of the hearing.

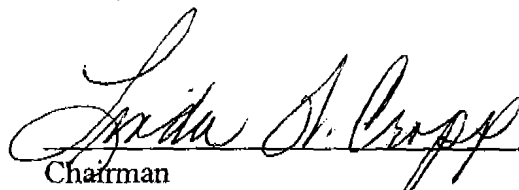
“(3) If the Board fails to comply with the requirements of this subsection, the petitioner shall still be entitled to a hearing or having a decision rendered on their case and the petitioner’s right to an appeal shall not be affected.”.

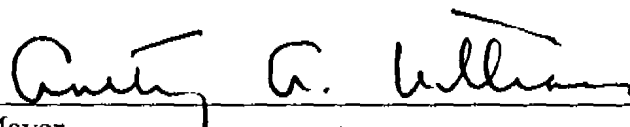
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Council Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, beginning August 16, 2005, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 26, 2005

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-146

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005

To order, on an emergency basis, the closing of Patricia Roberts Harris Drive, N.E., bounded by 31st Place, N.E., Fort Lincoln Drive, N.E., and South Dakota Avenue, N.E. in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Patricia Roberts Harris Drive, N.E., in Square 4325, S.O. 03-5187, Emergency Act of 2005".

Sec. 2 Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that Patricia Roberts Harris Drive, N.E., in Square 4325, as shown on the Surveyor's Plat filed in the S.O. File 03-5187, is unnecessary for street purposes and orders it closed, with title to vest as shown on the Surveyor's plat. The approval of the Council of this closing is contingent upon the satisfaction of all conditions set forth in the S.O. File 03-5187.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report on Bill 16-255 as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

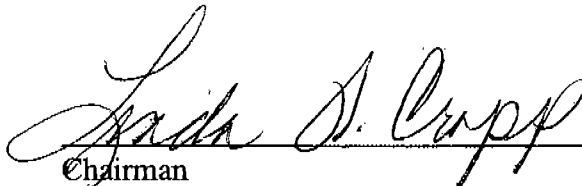
Sec. 4. The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Surveyor of the District of Columbia and the District of Columbia Recorder of Deeds.

Sec. 5. Effective date.

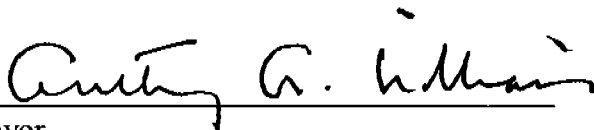
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).

A handwritten signature in cursive script, reading "Linda S. Crapp", written over a horizontal line.

Chairman
Council of the District of Columbia

A handwritten signature in cursive script, reading "Anthony A. Williams", written over a horizontal line.

Mayor
District of Columbia

APPROVED
July 26, 2005

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-147

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005

*Codification
District of
Columbia
Official Code*

2001 Edition

2005 Fall
Supp.

West Group
Publisher

To amend, on an emergency basis, Chapter 46 of Title 47 of the District of Columbia Official Code to exempt from taxation certain real property owned by Brentwood RI, LLC, at 1060 Brentwood Road, N.E., Washington, D.C. 20018.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Brentwood Retail Center Real Property Tax Exemption Emergency Act of 2005."

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-4608. Brentwood Retail Center, 1060 Brentwood Road, N.E.; lot 57, square 3848."

(b) A new section 47-4608 is added to read as follows:

"47-4608. Brentwood Retail Center, 1060 Brentwood Road, N.E.; lot 57, square 3848."

Note,
§ 47-4607

"(a) The real property located in the District of Columbia, described as lot 57, square 3848, situated at 1060 Brentwood Road, N.E., shall be exempt from real property taxation under Chapter 8 for 6 years, beginning on the effective date this section, so long as:

"(1) The real property is owned and managed by Brentwood RI, LLC, a District of Columbia limited liability company;

"(2) The real property shall be used to develop a commercial and retail center, containing at least 5 retail establishments, of which 2 shall be leased to national credit retail stores ("project");

"(3) Construction on the development of the project shall commence on or before December 31, 2005;

"(4) Brentwood RI, LLC shall comply with the First Source Agreement and Local, Small, and Disadvantaged Business Enterprises commitments as set forth in the "Application for Economic Assistance" to the District government.

"(b) If there is noncompliance with any of the conditions set forth in subsection (a) of this section, the abatement shall terminate as of the beginning of the year in which the noncompliance occurred."

Sec. 3. Fiscal impact statement.

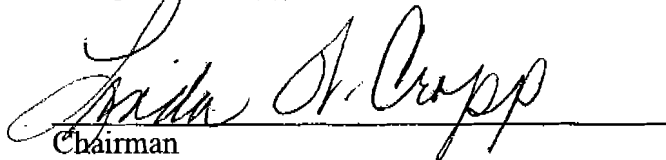
The Council adopts the fiscal impact statement of the Budget Director as the fiscal

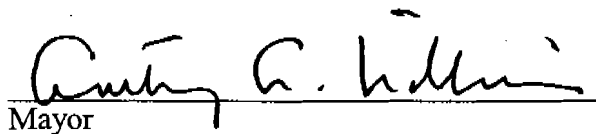
ENROLLED ORIGINAL

impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect upon its approval by the Mayor (or in the event of a veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 26, 2005

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-148

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005*Codification
District of
Columbia
Official Code*

2001 Edition

2005 Fall
Supp.West Group
Publisher

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978, to establish that District of Columbia Emancipation Day shall be observed on April 17, 2006, and to add it to the list of legal public holidays in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Emancipation Day Alternate Date Emergency Amendment Act of 2005".

Sec. 2. Section 1202 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §1-612.02), is amended as follows:

Note,
§ 1-612.02

(a) Subsection (a) is amended by adding a new paragraph (11) to read as follows:

"(11) District of Columbia Emancipation Day, April 16th of each year."

(b) Subsection (c)(2) is amended to read as follows:

"(c)(2) April 16 of each year starting in 2005 shall be District of Columbia Emancipation Day, which shall be a legal public holiday for the purpose of pay and leave of employees scheduled to work on that day."

Sec. 3. Sense of the Council.

It is the sense of the Council that the federal government should recognize the "District of Columbia Emancipation Day". The Council urges Congresswoman Norton to introduce legislation in Congress to recognize this day.

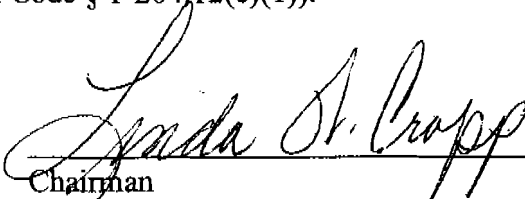
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement provided by the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-206.02(c)(3)).

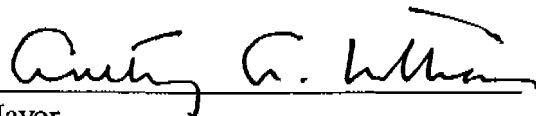
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Sec. 5. Effective date.

This act shall take effect upon its approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.12(c)(1)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 26, 2005

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-149IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JULY 26, 2005*Codification
District of
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Official Code*

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2005 Fall
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To authorize, on an emergency basis, the Addiction Prevention and Recovery Administration within the Department of Health to make grant awards from the Addiction Recovery Fund during fiscal year 2005.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Choice in Drug Treatment Grants Emergency Act of 2005".

Sec. 2. Notwithstanding the requirements of section 6(7) of the Choice in Drug Treatment Act of 2000, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3005(7)), the Addiction Prevention and Recovery Administration is authorized to make grants from the Addiction Recovery Fund during fiscal year 2005 to healthcare service providers.

Note,
§ 7-3005

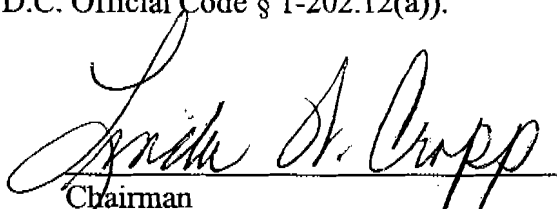
Sec. 3. Fiscal impact statement.
This legislation has no negative fiscal impact.

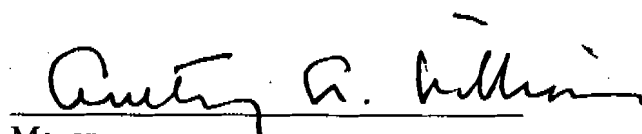
Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of a veto by the Mayor, action by the Council to override the veto) and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-202.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 26, 2005

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-150

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005*Codification
District of
Columbia
Official Code*

2001 Edition

2005 Fall
Supp.West Group
Publisher

To approve, on an emergency basis, payment to Verizon, Inc., for goods and services provided to the District of Columbia Public Schools without a valid written contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Verizon, Inc. Payment Authorization Emergency Act of 2005".

Sec. 2. Pursuant to section 105(d)(5)(F)(ii) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.05(d)(5)(F)(ii)), the Council hereby authorizes the District of Columbia Public Schools to pay Verizon, Inc. \$7,787,508.57 for goods and services received between November 20, 2003 and June 22, 2005, without a valid written contract.

Note,
§ 2-301.05

Sec. 3. Fiscal impact statement.

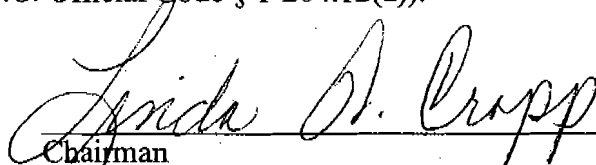
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

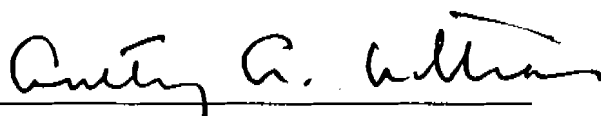
Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia



Mayor
District of Columbia
Approved
July 26, 2005

AN ACT

D.C. ACT 16-151

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 26, 2005Codification
District of
Columbia
Official Code

2001 Edition

2005 Fall
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Publisher

To amend An Act to establish a code of law for the District of Columbia to clarify the scope of the right to obtain and enforce a mechanic's lien; to modify the requirements for filing a notice of intent to enforce a lien, including those for a commercial property; to establish greater notice requirements; to clarify the rights and limitations of subcontractors filing mechanic's liens; and to require the Mayor issue rules.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mechanic's Lien Amendment Act of 2005".

Sec. 2. Chapter 40 of An Act to establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1384; D.C. Official Code § 40-301.01 *et seq.*), is amended as follows:

(a) A new section 1238a is added to read as follows:

"Sec. 1238a. Definitions.

"For the purposes of this chapter, the term:

"(1) "Home improvement" means the repair, remodeling, alteration, conversion, or modernization of, or addition to, residential real property.

"(2) "Home improvement contract" means any written agreement, in a form that has been approved by the Department of Consumer and Regulatory Affairs, entered into between the same contractor and the same homeowner within any 12-month period for home improvement for a specific price. For the purposes of this section, the contract price for a home improvement contract shall be the contract price for all contracts during any 12-month period with respect to a home improvement.

"(3) "Land records" means the property records maintained by the Office of the Recorder of Deeds of the District of Columbia.

"(4) "Notice amount" means a written notice of amounts due to a contractor, subcontractor, materialman, or supplier for a project.

"(5) "Notice of intent" means a notice of intention to enforce a lien against the owner's property for a project.

"(6) "Owner" means an owner either in fee simple or a lesser estate, a lessee, or a prospective purchaser in possession under a contract of sale authorized to contract for a project.

"(7) "Project" means any work or materials provided by a contractor for the erection, construction, improvement, repair of, or addition to any real property in the District of Columbia at the direction of an owner, or an owner's authorized agent, or the placing of any

engine, machinery, or other thing therein or in connection therewith so as to become a fixture, though capable of being detached.”

(b) Section 1237 (D.C. Official Code § 40-301.01) is amended to read as follows:

Amend
§ 40-301.01

“Sec. 1237. Mechanic’s lien.

“Every building erected, improved, added to, or repaired at the direction of the owner, or the owner’s authorized agent, and the land on which the same is erected, intended to be used in connection therewith, or necessary to the use and enjoyment thereof, to the extent of the right, title, and interest, at that time existing, of the owner, shall be subject to a lien in favor of the contractor who contracted with the owner, in the amount of the contract price or, in the absence of an express contract, the reasonable value of the project; provided, that to enforce the lien, the contractor claiming the lien shall record in the land records a notice of intent and comply with the other procedures prescribed in this chapter.”

(c) Section 1238 (D.C. Official Code § 40-301.02) is amended to read as follows:

Amend
§ 40-301.02

“Sec. 1238. Notice.

“(a)(1) A contractor desiring to enforce the lien shall record in the land records a notice of intent that identifies the property subject to the lien and states the amount due or to become due to the contractor. The notice of intent shall be recorded within 90 days after the earlier of the completion or termination of the project. If the notice of intent is not recorded in the land records within 90 days after the earlier of the completion or termination of the project, the contractor’s lien shall terminate upon the expiration of the 90-day period. A notice of intent that does not comply with subsection (b) of this section shall be void.

“(2) Any contractor who records timely a notice of intent in accordance with subsection (a)(1) of this section, shall send to the owner, by certified mail to the current address (or if not available in the local public records, the last known address) of the owner, a copy of the notice of intent within 5 business days after the date of its recordation in the land records. If the certified mail is returned to the contractor unclaimed or undelivered, the contractor shall post a copy of the recorded notice of intent at or on the affected real property in a location generally visible from some entry point to the real property.

“(b) The notice of intent shall include the following:

“(1) The name and address of the contractor or the contractor’s registered agent;

“(2) The name and address of the owner or the owner’s registered agent;

“(3) The name of the party against whose interest a lien is claimed and the amount claimed, less any credit for payments received up to and including the date of the notice of intent;

“(4) A description of the work done, including the dates that work was commenced and completed;

“(5) A description of the material furnished, including the dates that material was first and last delivered;

“(6) A legal description and, to the extent available, a street address of the real property;

“(7)(A) To the extent available under applicable law, if the contractor is an entity organized under the laws of the District of Columbia or is doing business in the District of Columbia within the meaning of applicable District law:

“(i) A copy of the contractor’s current license to do business in the District issued by the Department of Consumer and Regulatory Affairs; and

“(ii) A certificate of good standing from the Department of Consumer and Regulatory Affairs issued within 180 days prior to the date of the filing of the

ENROLLED ORIGINAL

notice of intent; or

“(B) To the extent available under applicable law, if the contractor is an individual or an entity organized under laws other than those of the District of Columbia, and is not doing business in the District of Columbia within the meaning of applicable District laws but is required to be licensed by a governmental entity:

“(i) A copy of the contractor’s current license to do business issued by the government of the other jurisdiction; and

“(ii) A certificate evidencing the contractor’s good standing in its place of business or state of incorporation issued by the other jurisdiction;

“(8) If the project is provided under a home improvement contract, a copy of the home improvement contract; and

“(9)(A) A sworn, notarized statement affirming under penalty of perjury and upon personal knowledge that:

“(i) The contents of the notice of intent are true and correct to the best of the contractor’s information and belief; and

“(ii) The contractor has a right to recover the amount claimed.

“(B) If a notice of intent is executed by an authorized representative or counsel of the contractor, he or she shall attach evidence of his or her authority to execute the notice of intent on behalf the contractor and shall affirm that the notice of intent is true and correct to the best of the affiant’s knowledge and belief.”

(d) Section 1239 (D.C. Official Code § 40-303.01) is amended to read as follows:

Amend
§ 40-303.01

“Sec. 1239. Subcontractor’s lien – generally.

“Any person directly employed by a contractor described by section 1237 (any such contractor also referred to herein as original contractor), whether the person is a subcontractor, materialman, or laborer, to furnish work or materials for the completion of the project, shall be entitled to the same rights and subject to the same obligations as the original contractor under this chapter, subject to the conditions and limitations set forth in this chapter.”

(e) Section 1240 (D.C. Official Code § 40-303.02) is amended to read as follows:

Amend
§ 40-303.02

“Sec. 1240. Conditions and limitations.

“(a) A lien in favor of parties so employed by the original contractor shall be subject to the terms and conditions of the contract, if any, between the owner and the original contractor except any terms and conditions therein that relate to the original contractor’s right to waive liens on behalf of the parties employed. The lien of the parties shall be limited to the amount due, or to become due, but unpaid to the original contractor and shall be satisfied, in whole or in part, out of that amount only. If the original contractor, by reason of any breach by the original contractor of his, her, or its agreement with the owner, shall be entitled to recover less than the amount agreed upon between them, the liens of the parties employed by the original contractor shall be enforceable only to the extent of the reduced amount.

“(b) If the owner, in good faith, has paid the original contractor in full for the project of the original contract (and the amount of the payment is not disputed by the original contractor), the parties employed by the original contractor shall not be entitled to a lien on the owner’s real property to recover any amounts due and owing for their work or materials provided for the erection, construction, improvement, repair of, or addition to the real property; provided, that if a subcontractor, materialman, or supplier notifies the owner in writing of amounts due to the subcontractor, materialman, or supplier (“notice amount”) while the owner has a balance due and owing or to become due and owing to the original contractor that is not less than the notice amount, the notice of the notice amount shall be prima facie evidence that any payment

ENROLLED ORIGINAL

thereafter by the owner to the original contractor was not made in good faith. Any provision in a contract, purchase order, or similar document that prohibits a subcontractor, materialman, or supplier from contacting or communicating with an owner shall be void to the extent it prevents compliance with the notice requirements of this subsection.”.

(f) Section 1246 (D.C. Official Code § 40-303.08) is amended by striking the phrase “premises be sold” and inserting the phrase “owner’s interest in the premises be sold” in its place.

Amend
§ 40-303.08

(g) Section 1251 (D.C. Official Code § 40-303.13) is amended to read as follows:
“Sec. 1251. When suit to be commenced.

Amend
§ 40-303.13

“(a)(1) Any person with a lien and who has recorded a valid notice of intent shall only enforce the lien by:

“(A) Filing suit under section 1246 to enforce the lien at anytime within 180 days after the date that the notice of intent is recorded in the land records; and

“(B) Recording, within 10 days of filing suit, a notice of pendency of action in accordance with section 556a(b) in the land records.

“(2) Failure to file suit within the 180-day period or to file timely a notice of pendency of action shall terminate the lien.”.

(h) Section 1252 (D.C. Official Code § 40-303.14) is amended by striking the word “ground” and inserting the word “land” in its place.

Amend
§ 40-303.14

(i) Section 1254a (D.C. Official Code § 40-303.16a) is repealed.

Amend
§ 40-303.16a

(j) Section 1258a (D.C. Official Code § 40-303.20a) is amended to read as follows:

Amend
§ 40-303.20a

“(a) The Mayor shall promulgate rules to implement this chapter. The proposed rules shall be transmitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the rules within the 45-day review period, the rules shall be deemed disapproved.

“(b) The Mayor shall issue rules to implement the provisions of the Mechanic’s Lien Amendment Act of 2005, passed on 2nd reading on July 6, 2005 (Enrolled version of Bill 16-105), within 180 days of its effective date.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

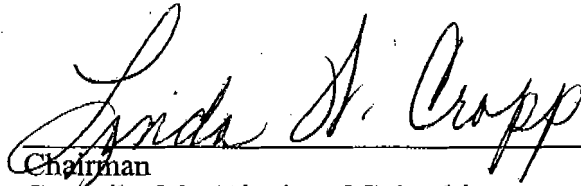
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

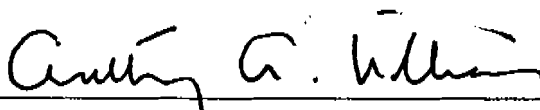
AUG 5 2005

DISTRICT OF COLUMBIA REGISTER

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
July 26, 2005